



**IN THE GRAND COURT OF THE CAYMAN ISLANDS
FINANCIAL SERVICES DIVISION**

CAUSE NO: FSD 22 OF 2018 (RPJ)

BETWEEN:

(1) GEORGE ALLEN COWAN

**(2) GEORGE ALLEN COWAN, ON BEHALF OF EQUIS
SPECIAL L.P. (PREVIOUSLY KNOWN AS EQUIS ASIA FUND
SPECIAL L.P.)**

PLAINTIFFS

AND:

**(1) EQUIS SPECIAL L.P. (PREVIOUSLY KNOWN AS EQUIS
ASIA FUND SPECIAL L.P.), ACTING BY ITS GENERAL
PARTNER EQUIS SPECIAL GP**

**(2) EQUIS SPECIAL GP (PREVIOUSLY KNOWN AS EQUIS
ASIA FUND SPECIAL GP), IN ITS CAPACITY AS GENERAL
PARTNER OF EQUIS SPECIAL L.P.**

(3) DAVID CHARLES RUSSELL

(4) ADAM BERNHARD BALLIN

(5) LANCE MICHAEL COMES

(6) JOSEPH THOMAS CARMODY

(7) RAJPAL SINGH CHAUDHARY

(8) TONY GIBSON

DEFENDANTS

ORDER

UPON the application of the Plaintiffs by *Ex Parte* Summons dated 6 November 2020

AND UPON reading the Fifth Affidavit of George Allen Cowan sworn on 6 November 2020 and the other documents recorded on the Court file as having been read

AND UPON hearing Leading Counsel for the Plaintiffs

IT IS ORDERED that:

1. The Plaintiffs be granted permission pursuant to GCR Order 11, Rules 1(1)(c), (d), (f) and/or (ff) to serve the Re-Re-Amended Writ of Summons and Re-Re-Amended Statement of Claim dated 18 March 2020 (the "**Re-Re-Amended Claim**") and any other document, pleading, notice or order in this Cause on the Sixth Defendant out of the jurisdiction by way of personal service by any judicial officer, official or other competent person and in such manner as is compliant with the requirements of the laws applicable in the relevant State, at the last known address of the Sixth Defendant being 28 Shirley Road, Roseville, New South Wales, Australia NSW 2069.

2. Further, the Plaintiffs be granted permission pursuant to GCR Order 65, Rule 4(1) to serve the Re-Re-Amended Claim and any other document, pleading, notice or order in this Cause on the Sixth Defendant by way of substituted service by:
 - (a) delivering the documents to Conyers, Dill & Pearman, SIX, 2nd Floor, Cricket Square, PO Box 2681, Grand Cayman KY1-1111, Cayman Islands; and/or
 - (b) delivering the documents, whether attached in PDF format and/or contained in a share-file link, by email to Erik.Bodden@conyers.com and/or Alex.Potts@conyers.com, andservice in this manner will be deemed to constitute good service on the Sixth Defendant.

3. The deemed date of service will be the first business day after sending the email referenced at paragraph 2(b) above.

4. The Sixth Defendant be permitted 28 days from being served with the Re-Re-Amended Claim within which to acknowledge service.

5. Costs in the cause.

DATED this 12th day of January 2021

FILED this day of January 2021

The Honourable Mr Justice Parker
JUDGE OF THE GRAND COURT

This **ORDER** is filed by Walkers, Attorneys at Law, 190 Elgin Avenue, George Town, Grand Cayman KY1-9001, for the Plaintiffs whose address for service is care of their said Attorneys at Law.